

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION

UNITED STATES OF AMERICA )

v. )

TERRY DALVIS ROBERTS JR. )

MAG. NO. *EP: 10-M-05139-ML*

**MOTION FOR APPOINTMENT OF COUNSEL**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Defendant TERRY DALVIS ROBERTS JR., by and through the undersigned attorney, and requests that the Office of the Federal Public Defender be appointed to represent Defendant pursuant to 18 U.S.C. § 3006A, and would show the Court as follows:

**I**

On September 7, 2010, the Honorable ROBERT K. ROACH, United States Magistrate Judge for the Northern District of Texas, Wichita Falls Division, appointed the Office of the Federal Public Defender for the Western District of Texas to advise and represent Terry Dalvis Roberts Jr. in the matter of his consent to transfer under the provisions of Chapter 306 of Title 18, United States Code.

**II**

The offender's financial situation has not changed significantly since satisfying Magistrate Judge Roach that he was financially unable to employ counsel on September 7, 2010. Counsel below in fact represented Terry Dalvis Roberts Jr. at the consent hearing on September 20, 2010. Because he is most familiar with Terry Dalvis Robert Jr.'s case, it is requested that the

Office of the Federal Public Defender for the Western District of Texas be appointed to assist him before the Parole Commission under 18 U.S.C. § 4106A, as amended by the Anti-Drug Abuse Act of 1988.

WHEREFORE, premises considered, Defendant prays that the undersigned be appointed to represent him.

Respectfully submitted,

HENRY J. BEMPORAD  
Federal Public Defender



SHANE MCMAHON  
Assistant Federal Public Defender  
Western District of Texas  
Richard C. White Federal Building  
700 E. San Antonio, Suite D-401  
El Paso, Texas 79901  
(915) 534-6525

*Attorney for Defendant*

**STATEMENT OF COUNSEL  
IN LIEU OF CERTIFICATE OF SERVICE**

This is a request for appointment of counsel under 18 U.S.C. § 3006(a)(1)(J). Accordingly, Defendant is not serving a copy on the government.

Dated: This 21<sup>st</sup> day of September, 2010.



SHANE MCMAHON  
*Attorney for Defendant*